A bill to be entitled
An act relating to residential foreclosure
proceedings; providing a short title; creating s.
501.1379, F.S.; defining the term “mortgage collection
firm”; prohibiting a mortgage collection firm from
offering false evidence in a mortgage foreclosure
proceeding; providing that a violation is a deceptive
and unfair trade practice; providing penalties and
remedies; providing for the award of attorney fees and
costs under certain circumstances; providing an
effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be cited as the “Florida Mortgage
Collection Fairness Act.”

Section 2. Section 501.1379, Florida Statutes, is created
to read:

501.1379 Mortgage collection firms; prohibited practices;
penalties and remedies.—
(1) As used in this section, the term “mortgage collection
firm” means an attorney or law firm engaged to represent a party
filing a residential mortgage foreclosure action or a person
engaged in debt collection services for a residential mortgage
loan.
(2) A mortgage collection firm may not knowingly offer
false evidence in a residential mortgage foreclosure proceeding.
(3) A violation of this section is a deceptive and unfair
trade practice and constitutes a violation of the Florida
Deceptive and Unfair Trade Practices Act. A mortgage collection firm that violates this section is subject to the penalties and remedies provided in part II of this chapter, including the award of reasonable attorney fees and costs under s. 501.2105.

Section 3. This act shall take effect July 1, 2013.